

REMARKS/ARGUMENTS

Favorable reconsideration of this application in view of the above amendments and in light of the following discussion is respectfully requested.

Claims 1-7, 19-21, 25-31, 44, 46, 48, 50, 52, 54, 56, 58, 60, 62-66, 77-79, 81, 83-88, 100, 103, 105, 111, 113, 116, 119, 121, and 124 are pending. The present Amendment amends Claims 1-3, 19-21, 25-28, 31, 44, 46, 48, 50, 52, 54, 56, 58, 60, 62, 63, 65, 77-79, 81, 83, 84, 86, 100, 103, 105, 111, 113, 116, 119, 121 and 124, and cancels Claims 8-18, 22-24, 32-43, 45, 47, 51, 53, 55, 57, 59, 61, 67-76, 80, 82, 89-99, 101, 102, 104, 106-110, 112, 114, 115, 117, 118, 120, 122, and 123 without prejudice or disclaimer. No new matter is introduced.

The outstanding Office Action rejected Claims 1-7, 19-21, 25-31, 44, 46, 48, 50, 52, 54, 56, 58, 60, 62-66, 77-79, 81, 83-88, 100, 103, 105, 111, 113, 116, 119, 121, and 124 under 35 U.S.C. § 102(e) as anticipated by McFadden (U.S. Patent Application No. 2003/0126137).

In response to the Restriction Requirement being made final, Claims 1-7, 19-21, 25-31, 44, 46, 48, 50, 52, 54, 56, 58, 60, 62-66, 77-79, 81, 83-88, 100, 103, 105, 111, 113, 116, 119, and 121, directed to non-elected inventions, are canceled. Applicant reserves the right to present claims directed to the non-elected inventions in a divisional application, which shall be subject to the third sentence of 35 U.S.C. § 121.¹

Claims 1-3, 19-21, 25-28, 31, 44, 46, 48, 50, 52, 54, 56, 58, 60, 62, 63, 65, 77-79, 81, 83, 84, 86, 100, 103, 105, 111, 113, 116, 119, 121 and 124 are amended. Support for these amendments can be found, for example, at page 42, line 20 to page 46, line 7 of the specification as originally filed with reference to Figures 8 and 9, and at page 65, line 18 to

¹ "A patent issuing on an application with respect to which a requirement for restriction under this section has been made ... shall not be used as a reference ... against a divisional application." See also MPEP 804.01.

page 69, line 8 of the specification as originally filed with reference to Figure 19, for example. Accordingly, these amendments do not raise a question of new matter.

Claim 1, as amended, recites:

A merge information providing apparatus comprising:
a plurality of means for providing user information items
regarding a user, each of the plurality of means for providing user
information items *including different user information items
regarding said user*; and
means for acquiring said *different user information items
regarding said user* from each of said plurality of user information
providing means and *merging said acquired different user
information items regarding said user*.

Turning to the applied reference, McFadden relates to dynamic group generation management. As illustrated in Figure 1, a dynamic group management system (12) includes synchronizer programs (50, 52) on hub and spoke computers (14, 16).² As described at paragraph 45, the synchronizer programs maintain synchronization between the respective user and group records on hub and spoke computers, as well as updating group memberships to reflect changes made to the user records in the user databases. The synchronizer programs may be configured to perform various tasks on a periodic basis, or may be configured to perform certain tasks in response to certain events. For example, an update to a dynamic group may be triggered by an addition or deletion of a user record in a user database. However, McFadden fails to disclose or render obvious acquiring *different user information items* regarding a user from each of a plurality of user information providing means and merging the acquired different user information items regarding said user.

Prior to the present amendment, the outstanding Office Action asserted that “McFadden teaches groups of individuals (i.e. merged information), McFadden also teaches merging acquired user information regarding a user (i.e. incorporating user records on

² See McFadden, at paragraph [0045].

individuals into those dynamic groups).”³ However, McFadden fails to disclose or render obvious acquiring *different* user information items regarding a user from means for providing user information items, and then merging the *different* user information items. By contrast, McFadden updates group memberships in multiple databases, ensuring that all the databases include the same membership information. In effect, McFadden gathers the *same* user information (whether or not they are a member) and updates the databases with that *single piece of information*. Updating group memberships in multiple databases with the same single piece of user information is not acquiring *different user information items regarding a user* from each of a plurality of user information providing means and merging the acquired *different user information items regarding the user*. Accordingly, McFadden does not disclose or suggest the features of amended independent Claim 1. It is submitted that amended independent Claim 1 and the claims depending therefrom are in condition for allowance.

Amended Claim 19 recites, *inter alia*:

means for providing a *plurality of different information items* regarding a designated user in response to a request from a merge user information providing apparatus,
wherein said merge user information providing apparatus includes said user information providing means and other user information providing means that are subordinate to said merge user information providing means, each of the other user information providing means *including different information items regarding the designated user*.

McFadden fails to disclose or render obvious a means for providing a *plurality of different information items* regarding a designated user in response to a request from a merge user information providing apparatus. As discussed above, McFadden describes maintaining synchronization between a respective user and *group records* on hub and spoke computers. Maintaining *group record* information is not *different information items* regarding a

³ See the outstanding Office Action at page 20, lines 19-22.

designated user. Accordingly, McFadden does not disclose or suggest the features of amended independent Claim 19. It is submitted that amended independent Claim 19 and the claims depending therefrom are in condition for allowance.

Amended Claim 25 recites, *inter alia*:

means for acquiring said *different user information items* regarding said user from each of said plurality of user information items providing means and *merging said acquired different user information items* regarding said user.

As discussed above with reference to amended Claim 1, McFadden fails to disclose or render obvious acquiring *different user information items* regarding a user from each of a plurality of user information items providing means. Accordingly, McFadden does not disclose or suggest the features of amended independent Claim 25. It is submitted that amended independent Claim 25 and the claims depending therefrom are in condition for allowance.

Each of amended Claims 44, 48, 50, 54, 56, and 60 recite, *inter alia*:

acquiring *different user information items* regarding said user from each of said plurality of user information items providing means; and
merging said acquired *different user information items* regarding said user

As discussed above with reference to amended Claim 1, McFadden fails to disclose or render obvious acquiring *different user information items* regarding a user from each of a plurality of user information items providing means and merging the acquired *different user information items regarding that user*. Accordingly, McFadden does not disclose or suggest the features of amended independent Claims 44, 48, 50, 54, 56, and 60. It is submitted that amended independent Claims 44, 48, 50, 54, 56, and 60 are in condition for allowance.

Each of amended Claims 46, 52, and 58 recite, *inter alia*:

providing, in response to a request from a merge user
information providing apparatus including said user
information items providing means and other user information
items providing means, *a plurality of different information
items* regarding a designated user to said merge user
information providing apparatus.

McFadden fails to disclose or render obvious the recited providing step. As discussed above, McFadden describes maintaining synchronization between a respective user and group records on hub and spoke computers. Updating group memberships in multiple databases by gathering the *same* information about a user (whether or not they are a member) and updating the databases with that *single piece of information* not providing *a plurality of different information items* regarding a designated user to the claimed merge user information providing apparatus. Accordingly, McFadden does not disclose or suggest the features of amended independent Claims 46, 52, and 58. It is submitted that amended independent Claims 46, 52, and 58 are in condition for allowance.

Amended Claim 62 recites, *inter alia*:

means for acquiring *a first user information item* regarding
a user registered to one of said user information providing means
of which use is permitted; and
means for acquiring *a second user information item*
regarding the same user registered to other user information item
providing means...merging said acquired *first and second user
information items* regarding said user

As discussed above with reference to amended Claim 1, McFadden fails to disclose or render obvious acquiring *different user information items regarding a user* and merging the acquired *different user information items regarding that user*. Likewise, McFadden also fails to disclose or suggest acquiring *first and second user information items* and merging the acquired *first and second user information items*. Accordingly, McFadden does not disclose or suggest the features of amended independent Claim 62. It is submitted that amended independent Claims 62 and the claims depending therefrom are in condition for allowance.

Amended Claim 83 recites, *inter alia*:

...a plurality of means for providing user information items regarding a user, each of the plurality of means for providing user information items including *different user information items* regarding said user; and

...means for acquiring *said different user information items* regarding a user registered to the user information items providing means of which use is permitted and the same user registered to other user information providing means...

As discussed above with reference to amended Claim 1, McFadden fails to disclose or render obvious acquiring *different user information items regarding a user*. Accordingly, McFadden does not disclose or suggest the features of amended independent Claim 83. It is submitted that amended independent Claims 83 and the claims depending therefrom are in condition for allowance.

Amended Claim 77 recites, *inter alia*:

... said merge user information providing apparatus including said user information items providing means and other user information items providing means, said user information providing means and other user information providing means *including different information items regarding a user*

McFadden fails to disclose or render obvious the claimed user information providing means and other user information providing means *including different information items regarding a user*. As discussed above, McFadden describes maintaining synchronization between a respective user and *group records* on hub and spoke computers. Thus, McFadden merely describes several spoke computers that include the *same piece of information* about a user: whether they have membership in a group. Spoke databases that includes such a *group record* are not a user information providing means and other user information providing means *including different information items regarding a user*. Accordingly, McFadden does not disclose or suggest the features of amended independent Claim 77. It is submitted that amended independent Claim 77 and the claims depending therefrom are in condition for allowance.

Each of amended Claims 100, 105, 113, 116, and 121 recite, *inter alia*:

...acquiring *a plurality of different information items*
regarding a user registered to said user information item providing
means...

...merging said acquired *plurality of different user*
information items regarding said user...

As discussed above with reference to amended Claim 1, McFadden fails to disclose or render obvious acquiring *a plurality of different information items regarding a user* and merging the acquired *plurality of different user information items* regarding that user. Accordingly, McFadden does not disclose or suggest the features of amended independent Claims 100, 105, 113, 116, and 121. It is submitted that amended independent Claims 100, 105, 113, 116, and 121 are in condition for allowance.

Each of amended Claims 103, 111, and 119 recite, *inter alia*:

...providing....*a plurality of different information items*
regarding a user corresponding to distinction information
registered to said user information items providing means
and/or other user information items providing means...

As discussed above, McFadden describes maintaining synchronization between a respective user and group records on hub and spoke computers. Updating group memberships in multiple databases by gathering the *same* information about a user (whether or not they are a member) and updating the databases with that *single piece of information* not providing *a plurality of different information items* regarding a designated user to the claimed merge user information providing apparatus. Accordingly, McFadden does not disclose or suggest the features of amended independent Claims 103, 111, and 119. It is submitted that amended independent Claims 103, 111, and 119 are in condition for allowance.

Amended Claim 124 recites, *inter alia*:

...means for acquiring *a plurality of different user information items* regarding the user from the plurality of information providers based on the acquisition request; and
means for merging the acquired *plurality of different user information items* into merged user information

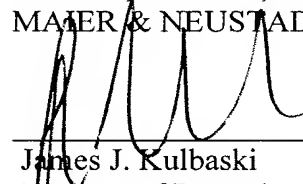
As discussed above with reference to amended Claim 1, McFadden fails to disclose or render obvious acquiring *different user information items* regarding a user from each of a plurality of user information items providing means and merging the acquired *different user information items regarding that user*. McFadden merely describes synchronizing multiple databases so that group membership (a single piece of information regarding a user) in those databases reflect changes made to the user records in the user databases. Synchronizing multiple databases is not acquiring *a plurality of different user information items* from a plurality of information providers and *merging* the acquired *plurality of different user information items*. Accordingly, as McFadden does not disclose or suggest the features of amended independent Claim 124. It is submitted that amended independent Claim 124 and the claims depending therefrom are in condition for allowance.

For the reasons discussed above, no further issues are believed to be outstanding in the present application, and the present application is believed to be in condition for formal allowance. Therefore, a Notice of Allowance for Claims 1-7, 19-21, 25-31, 44, 46, 48, 50, 52, 54, 56, 58, 60, 62-66, 77-79, 81, 83-88, 100, 103, 105, 111, 113, 116, 119, 121, and 124 is earnestly solicited.

Should the Examiner deem that any further action is necessary to place this application in even better form for allowance, the Examiner is encouraged to contact Applicants' undersigned representative at the below listed telephone number.

Respectfully submitted,

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